

United States District Court

NORTHERN DISTRICT OF CALIFORNIA

ADRE-FILING

IN-N-OUT BURGERS, a California Corporation,

SUMMONS IN A CIVIL CASE

CASE NUMBER:

V.

SAI M. ONG, an individual d/b/a "IN N OUT
SMOG CHECK", et. al. (See Attachment 1)

C07 05453JL

TO: (Name and address of defendant)

SAI M. ONG, an individual d/b/a "IN N OUT SMOG CHECK", BO TRAN, an individual d/b/a "IN & OUT SMOG CHECK", PHI L. LE, an individual d/b/a "IN-N-OUT-SMOG CHECK", MAN Q. DINH, an individual d/b/a "IN N OUT SMOG CHECK" (See Attachment 2 for addresses).

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Michael L. Meeks, Esq. (State Bar No. 172000)
Michael A. Rule, Esq. (State Bar No. 152452)
Becky Hsiao, Esq. (State Bar No. 232361)
PEPPER HAMILTON LLP
5 Park Plaza, Suite 1700
Irvine, CA 92614-8503
(949) 567-3500 phone
(949) 863-0151 facsimile

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wieking
CLERK

DATE OCT 25 2007

CITA F. ESCOLANO
(BY) DEPUTY CLERK

CONFORM

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICEService of the Summons and Complaint was made by me ¹

DATE

Name of SERVER

TITLE

Check one box below to indicate appropriate method of service

Served Personally upon the Defendant. Place where served:

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left:

Returned unexecuted:



Other (specify):

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

Date

Signature of Server

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

SUMMONS IN CIVIL CASE
ATTACHMENT 1

Defendants:

SAI M. ONG, an individual d/b/a "IN N OUT SMOG CHECK", BO TRAN, an individual d/b/a "IN & OUT SMOG CHECK", PHI L. LE, an individual d/b/a "IN-N-OUT SMOG CHECK", MAN Q. DINH, an individual d/b/a "IN N OUT SMOG CHECK".

SUMMONS IN CIVIL CASE
ATTACHMENT 2

Name and Address of Defendants:

1) SAI M. ONG, an individual d/b/a "IN N OUT SMOG CHECK"
2555 Glen Alma Way
San Jose, California 95148

226 Phelan Avenue,
#F, San Jose, CA 95112

2) BO TRAN, an individual d/b/a "IN & OUT SMOG CHECK"
2555 Glen Alma Way
San Jose, California 95148

1295 West San Carlos Street
San Jose, California 95126

3) PHI L. LE, an individual d/b/a "IN-N-OUT SMOG CHECK"
3114 Dakan Court, Unit #3
San Jose, California 95136

490 Keyes Street,
San Jose, California 95112

4) MAN Q. DINH, an individual d/b/a "IN N OUT SMOG CHECK"
3114 Dakan Court, Unit #3
San Jose, California 95136

735 South 1st Street, Unit A,
San Jose, California 95113